

TRULINCS 80637053 - BASLAN, BEBARS - Unit: BRO-I-C

FROM: 80637053

TO:

SUBJECT: Savitt Confidential -01

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Needed Experts, and Defense Strategy

In this case, the defense contends that it started investigating Jack, at the end of 2012, after he confessed to his history of abusing children.

The defense intends to prove it's case in a (5) prong approach:

I- Downloads only started after Jack's Confession, and after the defendants decided to engage in their investigation. This point has already been conceded by the government. Thus no longer needs an expert.

II- The 'File Structure' and storage pattern of the downloaded files is not one of collection but one of massive file dump: Once the file structure is analyzed, it will show that the files were stored in a complex hierarchy of directories, that are identical to the way they were stored online, not in a format typical of how pedophiles store their pictures and videos. It will also show the storage format to be ill-suited for covenant browsing and viewing.

It will also prove that source of the files being Usenet groups and Google site downloads rather than peer to peer, and will also show that the defendant never intended to distribute the files.

To prove this point we need a computer expert, possibly to be the same as one from point III.

III- The browsing history (starting before Jack's confession, till time of arrest) pattern supports the defense theory:

-The first step would be to obtain the browsing history from Time Warner (the internet provider) of the defendants' residence to be analyzed. This history will show everything that was uploaded or downloaded from few months prior to Jack's Confession, till the time of arrest.

-Second step would be to analyze the browsing history in order to prove:

1- The browsing pattern does not fit one of a pedophile cruising the internet to find CP file.

2- The history will prove the amount of time spent on obtaining the files vs. researching treatments, psychological problems, case research, sting operations, etc.

4- The browsing history will show how much of the time spent in front of the computer, was spent researching CP, how much time spent online for legitimate work related tasks, and how much time of ideal computer time (time on computer but where not online activates took place)

3- Will reinforce that all downloads, despite of being voluminous, were in massive file dump, and not in individual files that were browsed viewed, and downloaded based on preference of pleasure.

To prove this point, defense need to retain a forensic analysis company.

IV- Psychological / Psychiatric Evaluation:

This will prove to illustrate and frame of mind, and the lack of disposition to abuse kids.

TO prove this point, defense needs to hire a Forensic Physiologist / Psychiatrist.

V- Cell Site Mapping:

We will need to obtain a time / locations trail, to map out the defendant's location, mainly when he was at home. This cross referenced with browsing history (item 4), will show how little time the defendant spent home, and how little of the time was ideal computer time, and even how much less time spent downloading the files vs. researching the matter. It will also prove that defendants never spend tie watching the files.

To conserve costs, defense suggests that since the FBI already obtained the cell site data, the FBI should provide a location per entry, and the data as whole in a format usable by the defense, alternatively defense asks to retain a Cell Site Expert.

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Upon the conclusion of these tests, the result will provide substantial support to the defense theory, and also highlight the level of skill the defendant had in tracking and downloading the contra band files (this is important since NONE of the file were obtained from peer to peer downloads sources, and were mainly from news groups, then Google), this will also highlight the through nature of the defendant's research methods.

These tests will also prove that the defendant only engaged in these activities after Jack's confession, and none of the patterns,

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files, browsing or psychological fit those of actual pedophiles, rather they fit the pattern of a person that seriously intended on launching his own investigation.

Additionally it will indisputable that considering the voluminous nature of the files, the defendants never reviewed all the files, not intended to use them for pleasure or to further the exploitation of children.